

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 9053 – SB 9065

October 27, 2021

SUMMARY OF BILL: Terminates the Department of Labor and Workforce Development's (DLWD) rule 0800-01-12 upon the effective date of this legislation.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – This legislation could result in jeopardizing federal funding from the federal Occupational Safety and Health Administration Compliance Grant.

Assumptions:

- On August 24, 2021, the Commissioner of the DLWD filed emergency temporary standard rule 0800-01-12 for TOSHA to address safety hazards brought by COVID-19 within the healthcare industry and related support services (essential workers), and furthermore, to comply with changes in the federal OSHA rules.
- This emergency rule is currently effective through February 20, 2022.
- Despite this sunset date for this emergency rule, the permanent rule will still need to be substantially similar to the federal rule.
- Among other requirements, the current federal OSHA rules require masks be worn by certain workers within the healthcare industry.
- This legislation would remove the ability of a hospital, for example, to require its employees to wear masks.
- Based on information provided by the Department of Labor, this legislation would put the state in potential jeopardy of losing approximately \$4,000,000 from an OSHA Compliance Grant.
- The courts will not experience a significant increase in caseloads; therefore, any impact to the court system is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

/jb